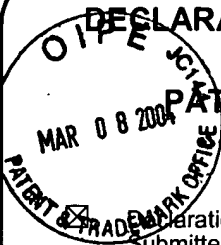


Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

 DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63) <input checked="" type="checkbox"/> Declaration Submitted with Initial Filing OR <input type="checkbox"/> Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)	Attorney Docket Number	1070405-991100
	First Named Inventor	Michael K. Wills
	COMPLETE IF KNOWN	
	Application Number	10/664,226
	Filing Date	September 16, 2003
	Art Unit	3671
Examiner Name	To Be Assigned	

I hereby declare that:

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

CONTROLLING EMISSIONS DURING ASPHALT PAVING

(Title of the Invention)

the specification of which

☐ is attached hereto**OR**☒ was filed on (MM/DD/YYYY) 09/16/2003 as United States Application Number or PCT International

Application Number 10/664,226 and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

[Page 1 of 2]

This collection of information is required by 37 CFR 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any information that you provide on this form will be used for the purpose of processing your application. If you have any questions, please contact the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

American LegalNet, Inc.
www.USCourtForms.com

DECLARATION—Utility or Design Patent ApplicationDirect all correspondence to: ☒ Customer Number **26379** OR ☐ Correspondence address below

Name

Kieun Jenny Sung, Gray Cary Ware & Freidenrich LLP

Address

2000 University Avenue

City

East Palo Alto

State

California

ZIP

94303

Country

United States

Telephone

650-833-2121

Fax

650-833-2001

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001. and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR :☐ A petition has been filed for this unsigned inventor

Given Name

(first and middle [if any])

Michael K.

Family Name

or Surname

Wills

Inventor's
Signature

Date

2/23/04

Residence: City

LA QUINTA

State

CA

Country

USA

Citizenship

USA

Mailing Address

79747 MORNING GLORY COURT

City

LA QUINTA

State

CA

ZIP

92253

Country

USA

NAME OF SECOND INVENTOR:☐ A petition has been filed for this unsigned inventor

Given Name

(first and middle [if any])

Family Name

or Surname

Inventor's
Signature

Date

Residence: City

State

Country

Citizenship

Mailing Address

City

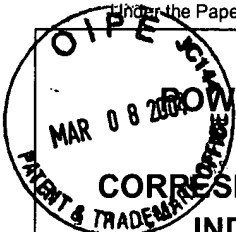
State

ZIP

Country

☐ Additional inventors are being named on the _____ supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

 POWER OF ATTORNEY and CORRESPONDENCE ADDRESS INDICATION FORM	Application Number	10/664,226
	Filing Date	September 16, 2003
	First Named Inventor	Michael K. Wills
	Title	Controlling Emissions During Asphalt Paving
	Art Unit	3671
	Examiner Name	To Be Assigned
	Attorney Docket Number	1070405-991100

I hereby appoint:

☒ Practitioners at Customer Number:

26379

OR

☐ Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

☐ The above-mentioned Customer Number:

OR

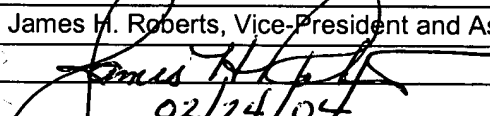
☐ The address associated with Customer Number:

OR

<input type="checkbox"/> Firm or Individual Name					
Address					
Address					
City		State		Zip	
Country					
Telephone		Fax			

I am the:

☐ Applicant/Inventor.☒ Assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).**SIGNATURE of Applicant or Assignee of Record**

Name	James H. Roberts, Vice-President and Assistant Secretary		
Signature			
Date	02/24/04	Telephone	831-724-1011

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative (s) are required. Submit multiple forms if more than one signature is required, see below*.

<input type="checkbox"/>	*Total of _____ forms are submitted.
--------------------------	--------------------------------------

This collection of information is required by 37 CFR 1.31 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: Michael K. WillsApplication No./Patent No.: 10/664,226Filed/issue Date: September 16, 2003Entitled: CONTROLLING EMISSIONS DURING ASPHALT PAVING

Granite Construction Company, a corporation

(Name of Assignee)

(Type of Assignee, e.g. corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.
- The extent (by percentage) of its ownership interest is _____ %

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☐ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

February 24, 2004

Date

831-724-1011

Telephone number

James H. Roberts

Typed or printed name

Signature

Vice-President and Assistant Secretary

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

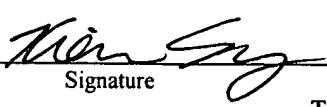


FORM PTO-1595
U.S. DEPARTMENT OF COMMERCE
1-31-92

RECORDATION FORM COVER SHEET

PATENTS ONLY

Patent and Trademark Office

To the Honorable Commissioner of Patents and Trademarks. Please record the attached original documents or copy thereof.	
1. Name of conveying party(ies): Michael K. Wills Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No 3. Nature of Conveyance: <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name Execution Date: February 23, 2004	2. Name and address of receiving party(ies): Name: Granite Construction Company 38000 Monroe Street Indio, California 92203 Additional name(s) & address(es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
4. Application number(s) or patent number(s): If this document is being filed together with a new application, the execution date of the application is: A. Patent Application No.(s) 10/664,226 B. Patent No.(s) Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
5. Name and address of party to whom correspondence concerning document should be mailed: Name: Kieun Jenny Sung Internal Address: Gray Cary Ware & Freidenrich LLP 2000 University Avenue East Palo Alto, CA 94303 (650) 833-2121	6. Total number of applications and patents involved: 1
	7. Total fee (37 CFR 3.41) \$ 40.00 <input checked="" type="checkbox"/> Enclosed <input type="checkbox"/> Authorized to be charged to deposit account
	8. Deposit account number: <u>07-1896</u> Please debit any underpayment or credit any overpayment to the above deposit account. Our Order No. 1070405-991100
DO NOT USE THIS SPACE	
9. Statement and signature. <u>To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.</u> Kieun Jenny Sung (Reg. No. 48,639)  March 4, 2004 Name of Person Signing Signature Date Total number of pages comprising cover sheet: [3]	
OMB No. 0651-0011 (exp. 4/94)	

Mail documents to be recorded with required cover sheet information to:

Commissioner of Patents and Trademarks
Mail Stop Assignments
P.O. Box 1450, Alexandria, VA 22313-1450

ASSIGNMENT

WHEREAS, I, MICHAEL K WILLS, have
invented certain new and useful improvements in CONTROLLING EMISSIONS DURING
ASPHALT PAVING, a United States patent application serial no. 10/664,226 filed on
September 16, 2003;

AND WHEREAS GRANITE CONSTRUCTION COMPANY, hereinafter called the "assignee", is
desirous of acquiring the entire right, title, and interest in and to said application and the
inventions and improvements therein disclosed;

NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other good and valuable
consideration paid to me by said assignee, receipt whereof we hereby acknowledge, we do
hereby assign, sell, transfer, and set over unto said assignee the entire right, title, and interest in
and to said application and the inventions and improvements therein disclosed for the United
States and all foreign countries and any Letters Patent which may issue therefor in the United
States and all foreign countries and all divisions, reissues, continuations, renewals, and/or
extensions thereof including all priority rights under the International Convention associated
therewith for each country of the Union, said assignee to have and to hold the interests herein
assigned to the full ends of the terms of said Letters Patent and any and all divisions, reissues,
continuations, renewals, and/or extensions thereof, respectively, as fully and entirely as the
same would have been held and enjoyed by me had this assignment not been made.

The Commissioner of Patents and Trademarks is requested to issue such Letters Patent in
accordance herewith. I covenant that I am a lawful owner of the application, inventions, and
improvements, that the same are unencumbered, that no license has been granted to make,
use, or vend the inventions or improvements on any of them, and that I have the full right to
make this assignment.

And for the consideration aforesaid, I agree, jointly and individually with any co-inventor(s), that I
will communicate to said assignee or the representatives thereof any facts known to us
respecting said inventions and improvements, and will, upon request, but without expense to us,
testify in any legal proceedings, sign all lawful papers, execute all divisional, reissue,
continuation, renewal, and/or extension applications, make all rightful oaths, and generally do all

other and further lawful acts, deemed necessary or expedient by said assignee or by counsel for said assignee, to assist or enable said assignee to obtain and enforce full benefits from the rights and interests herein assigned. This assignment shall be binding upon our heirs, executors, administrators, and/or assigns, and shall inure to the benefit of the heirs, executors, administrators, successors, and/or assigns, as the case may be, of said assignee.

EXECUTED

Michael K. Wills
Michael K. Wills

Date:

2/23/04

State of California)

County of

Riverside)

On Feb 23, 2004 before me, Cynthia R. Johnson, Notary Public,
personally appeared Michael K. Wills

personally known to me (or ~~proved to me on the basis of satisfactory evidence~~) to be the
person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me
that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(ies), and that by
his/~~her/their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the
person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Cynthia R. Johnson
Signature of Notary

